

City of Green Bay
Parks, Recreation, and Forestry Department
Policies and Procedures

General Subject: Forestry
Specific Subject: Tree and Stump Removal
Authorization/Date: November 28, 2006 Park Committee
December 5, 2006 Common Council
Legal References: Municipal Code Chapter 25
State Statute 27.09

Policy Statement

The City shall have the authority and jurisdiction to remove trees within the rights-of-way of all streets, alleys, avenues, lanes, and public properties and parks and tree-planting easements as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public property. (Municipal Code Chapter 25) Trees historically maintained by the City fall under this policy.

I. Definitions

- A. Chronic Pathogen – a disease, virus, or bacteria that will eventually cause the death of the tree
- B. Crown Area – the air space that a full, healthy tree crown would occupy (varies by species)
- C. Decay Pathogen – a fungus or canker rot that will compromise the strength and/or structure of the wood in the tree to the point that the tree becomes a hazard
- D. Forester – the City Forester, Assistant City Forester, or Department of Parks, Recreation and Forestry designee
- E. Infectious Pathogen – a disease, virus, bacteria, or fungus - that has the ability to pass from tree to tree through grafting, insect vector, or other method - that will eventually cause the death of the infected tree
- F. Invasive Species – trees, plants, and insects recognized by the Wisconsin DNR as detrimental to the environment of Wisconsin
- G. Mortality Causing Insect – invasive species insects known to kill trees if left uncontrolled
- H. Project Administrator - Any individual, firm, partnership, corporation, association, company, municipal corporation or other governmental entity or organization that is working on a project that requires tree removal
- I. Reasonable Arboricultural Practices – proper maintenance as recognized by the International Society of Arboriculture

- J. Right-of-way – A strip of land occupied or intended to be occupied for a special use. Rights-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, or any other use involving maintenance by a public agency, shall be dedicated to public use by the maker of the plat on which such right-of-way is established. (See City Code 14.02)
- K. Tree Rooting Area – the area around a tree containing the root system; in general the area from the trunk to the drip line of the crown; however, may extend 2-3 times the height of the tree

II. Fiscal Responsibility and Tree and Stump Removal

Trees are an asset to the City of Green Bay. Young trees start as a small investment in the Community. As trees mature, the aesthetic value, landscape value, property value, environmental value and monetary value increase accordingly. The City recognizes these values in the Urban Forest. Tree removal contrary to this policy represents a fiscal loss to the Community, and may be assessed to the responsible party.

III. Identifying Trees that may Require Removal

Trees are identified for removal due to:

- Resident/Homeowner/Citizen concern
- Field observation
- Forestry Division Crew identification
- Other City Department notification
- Project Administrator notification

IV. Tree Removal Criteria *(The following are situations where a tree cannot be maintained by Reasonable Arboricultural Practices so as to: prevent the spread of Infectious Pathogens or Mortality Causing Insects, insure public safety, or preserve or enhance the symmetry and beauty of such public property.)*

A. City Liability

- i. Dead – trees that no longer exhibit signs of life
- ii. Dying – tree health has declined beyond repair by reasonable arboriculture practices
- iii. Diseased – the tree is infected with a chronic or infectious pathogen
 - a. Dutch Elm Disease
 - b. Oak Wilt
 - c. Pine Wilt
 - d. Canker
 - e. Others as determined by the Forester

- iv. Dangerous – a tree that due to decay, defect, or other structural problem presents a hazard to the public in the Forester’s opinion
 - a. Cracks/Splits
 - b. Hollows/Cavities
 - c. Leaning
 - d. Exhibits known decay pathogens (decay fungus, root rot, etc.)
 - e. Others as determined by the Forester
- v. Mechanical Failure – a tree that has failed (storm damage)
- vi. Public Safety Conflict – a tree that presents a hazard due to its existence
 - a. Creates an unavoidable sight obstruction that affects public safety
 - b. Can no longer be maintained under public utility lines to avoid conflict using reasonable arboricultural practices
 - c. Others as determined by the Forester
- vii. Infestation – a tree that harbors a known mortality causing insect
 - a. Asian Longhorn Beetle
 - b. Emerald Ash Borer
 - c. Others as determined by the Forester
- viii. Invasive species
 - a. European Buckthorn
 - b. Honeysuckle
 - c. Others as determined by the Forester

- B. Public Improvements initiated by the Municipality or Governing Unit – the following activities in proximity of trees may, in the Forester’s determination, compromise tree rooting area, crown area, or general tree health and vigor to the point that removal is necessary before, or after the improvement work takes place
 - i. Road installation/maintenance/widening/replacement
 - ii. Utility installation/maintenance/replacement/movement
 - iii. Sidewalk installation/maintenance/replacement
 - iv. Utility easement work
 - v. Park improvements
 - vi. ADA Compliance issues
 - vii. Other public improvements

- C. Necessary Private Improvements initiated by a private party (including business or residential) are evaluated by the Forester
 - i. Forester may approve removal if:
 - a. The proposed improvements are, in the Forester's opinion, necessary. And...
 - b. The improvements are in proximity of City trees, and may, in the Forester's determination, compromise tree rooting area, crown area, or general tree health and vigor to the point that removal is necessary before, or after the improvement work takes place
 - a. Some examples include but are not limited to – ADA Compliance issues, repair or replacement of sidewalk or driveway; repair or replacement of water service, gas service, sewer service, etc
- D. Aesthetic Loss beyond recovery utilizing Reasonable Arboricultural Practices
 - i. Damaged by vehicle
 - ii. Storm Damage
 - iii. Utility clearance
 - iv. Vandalism
 - v. Others as determined by the Forester

V. Non-Supported Requests for Removal *(These are requests for removal where the standard Forestry Division response per this policy would be to deny the removal, but allow the requestor to appeal to the Forester. Also included are desired Private Improvements in compliance with the standards and permits of the City that may require removal or relocation of a City Tree. In these situations the tree shall be looked upon as a public utility such as a utility pole, fire hydrant or valve vault where the tree value and costs of removal or relocation of the tree will be reimbursed to the City.)*

- A. Nuisance
 - i. Satellite dish interference
 - ii. Litter – including, but not limited to: flowers, fruit, seeds, leaves, branches, bark, etc.
 - iii. Flowers – fragrance, allergy, insect attractor, etc.
 - iv. Non-mortality causing insects or wildlife
 - v. Shade – sparse grass under the tree, etc.
 - vi. Surface roots
 - vii. Size – too big, or too small
 - viii. Age – too old
 - ix. Roots in sewer – problem is a faulty pipe; removing the tree does not fix the problem; (if the pipe is to be replaced and the tree location presents a problem, the tree may be removed at the Forester's discretion under § II C of this policy)

- B. Non-Safety Related Obstructed View
 - i. Advertising – tree blocks sign, banner, notice, building front, etc.
 - ii. Aesthetic View - obstructed view of an area, object, or other desired scene; some examples include: park, woods, water, house, street, horizon, etc.
- C. Elected Private Improvements initiated by a private party (not including ADA projects)
 - i. Widening of driveway
 - ii. Installation of a carriage walk
 - iii. Installation of private underground utilities – PERMIT REQUIRED
 - a. Underground fence products [8.06(2)(b)]
 - b. Underground sprinkler utilities (9.33)
- D. Others as determined by the City Forester

VI. Stump Removal

There are 6 classifications of stump removal. They are:

- A. Restorative Stump Grinding
 - i. In most restorative situations the tree stump is removed with a stump grinder
 - ii. Terrace is re-graded for proper sidewalk water drainage if necessary
 - iii. Debris is removed from the area
 - iv. Area is restored with dirt, seed and straw/hydromulch
 - v. Grinding takes place when weather is cooperative and grass seed germination is possible
- B. Non-Restorative Stump Grinding
 - i. Non-restorative stump removal is often due to improvement projects
 - ii. The stump is removed with a stump grinder
 - iii. The area is leveled off with the grindings
 - iv. The area is left until the project is completed
 - v. It is the responsibility of the Project Administrator to restore the area upon project completion
- C. “Replacement Scheduled” Small Stump Removal
 - i. The stumps of small trees [less than six (6) inches diameter], scheduled for replacement are not removed
 - ii. The stump is cut flush with the ground
 - iii. The stump is removed when the new tree is planted

D. Contract Stump Removal

- i. In situations where City equipment cannot be used to grind out a stump, a contractor may be employed at the Forester's discretion

E. Emergency or Elected Stump Digging

- i. In situations when the Forestry Division is unable to remove a stump in a time frame compatible with a project, (for example – gas leak, main break, sewer pipe replacement etc.) the Project Administrator may have the stump dug out or otherwise removed and would be held responsible for the restoration of the area under § VI B of this policy

In all of the above situations, it is the responsibility of the adjacent landowner to provide adequate watering to encourage germination and growth of the grass seed.

F. No Removal

- i. Stumps that are inaccessible to stump removal equipment are not removed (for example – stumps in wooded areas, conservancies, etc.) but may be chemically treated to eliminate sprouting

VII. Tree Removal Practices

- A. The Forestry Division will remove or cause the removal of all trees and stumps under City Jurisdiction (Municipal Code Chapter 25) unless the Forester issues a permit to Private Parties or City Contractors
- B. Forestry Crew tree removal is generally scheduled for the winter, but may be done throughout the year as needed in an emergency
- C. Small project [affecting less than five (5) trees] Public and Private Improvement removals may be scheduled within twenty (20) business days of Forestry Division acceptance of removal project subject to time and manpower available
- D. Large Scale Projects [five (5) trees and over] shall be scheduled at the Forester's discretion and subject to time and manpower available
- E. Forestry Crew stump removal is generally scheduled for spring through fall, when grass seed germination is best, but may be done throughout the year as ground frost and other factors permit

VIII. Fees

- A. There are no fees for City tree or stump removal if the tree meets the Tree Removal Criteria listed in § IV
- B. For trees that do not meet the Tree Removal Criteria in § IV, please see § IX of this policy for Associated Fees

IX. Determining Value and Costs for Tree Removal

- A. Unauthorized and Non-Supported tree and/or stump removals are subject to review by the Forester. Unauthorized removals include, but are not limited to: Vehicle Accidents, Vandalism, Non-Permit Removals, or other Illegal Activities. Non-Supported tree removals occur when the party requesting a non-supported removal agrees to compensate the City for the Community Loss as determined in §B. below.
- B. Each case will be reviewed individually and a Tree Value Assessment will be completed by the Forester to determine the Community Loss.
 - i. Due consideration in unauthorized and non-supported removals must be given to the loss of the value of the tree to the community. Each case will be reviewed individually and a Tree Value Assessment - developed by the Council of Tree and Landscape Appraisers and published in the Guide for Plant Appraisal - will be completed by the Forester to determine the Tree Value. Additionally, costs of labor, machinery, materials and a tree replacement cost must be evaluated to determine an appropriate Community Loss value to be paid to the City of Green Bay.
 - a. Cost of Cure Assessment for trees 6 (six) inches or less in diameter
 - b. Trunk Formula Method for trees over 6 (six) inches in diameter
- C. The Community Loss is billed by the Parks, Recreation and Forestry Department

X. There will be no exceptions to this policy without amending the policy through the Park Committee and Common Council.